

REMARKS

This application has been reviewed in light of the Office Action mailed on August 18, 2004. Claims 1-10 are pending in the application with Claims 1, 5, 9 and 10 being in independent form. By the present amendment, Claims 1-8 and 10 have been amended, Claim 9 has been cancelled and Claims 11-13 have been added. No new matter or issues are believed to be introduced by the amendments.

(1) In the Office Action, the Drawings were objected to for failing to comply with 37 CFR 1.84(p)(5) for including reference character 132 not mentioned in the detailed description. By means of the present amendment, the Specification has been amended in a manner which is believed to overcome the objection. Withdrawal of the drawing objection is respectfully requested.

(2) In the Office Action, the Specification was objected to for a non-descriptive title. The title has been replaced with a new title as per the Examiner's recommendation. It is believed the new title is clearly indicative of the invention to which the claims are directed. Withdrawal of the objection is respectfully requested.

(3) In the Office Action, the Specification was further objected to lack of antecedent basis at paragraph 16. Applicant wishes to point out that while the use of capitalization is determinant of proper antecedent basis in a claim, it is the Applicants understanding that the same does not hold true in the specification. By means of the present

amendment, the Specification has been amended in a manner which is believed to overcome the objection. Withdrawal of the objection is respectfully requested.

(4) In the Office Action, Claims 9 and 10 were rejected under 35 U.S.C. §112, second paragraph. Claim 9 has been cancelled and re-written in dependent form as new claims 12 and 13 and Claim 10 has been amended in a manner which is believed to overcome the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

(5) In the Office Action, Claims 9 and 10 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claim 9 has been cancelled and re-written in dependent form as new claims 12 and 13 and Claim 10 has been amended in a manner which is believed to overcome the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

(6) In the Office Action, Claims 1, 2, 4-6 and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,625,152 issued to Monson et al. (hereinafter Monson).

Monson is directed to techniques which enable a server installation to service a client request using a filter index that is different than a destination address associated with the client request. In such an arrangement, a client can generate a client request for a server installation having multiple servers in the same manner as it would for a server installation having a single server. Accordingly, when a server

installation is scaled by increasing the number of servers, reconfiguration of the clients utilizing a server of the server installation is unnecessary (see Monson at Col. 2 ln. 67 – Col. 3 ln. 9).

Independent Claim 1 has been amended herein to better define Applicant's invention over Monson. Claim 1 now recites limitations and/or features which are not disclosed by Monson.

Claim 1 as amended herein recites in part:

identifying respective edge servers in said network that are in close proximity with respective groups of addresses from among the plurality of addresses;

 sending one copy of the electronic content to the identified respective edge servers; and
 enabling the identified respective edge servers to send individual copies of the electronic content to individual ones of the addressees in the identified edge server's respective group of addresses.

Monson does not disclose or suggest identifying respective edge servers in said network that are in close proximity with respective groups of addresses from among the plurality of addresses, as recited in Claim 1, as amended. Instead, Monson teaches the use of a filtering front end on a server installation, which is used together with a filter index parameter in a data structure of a client request to allow the client request to be directed to exactly one server in the multiple server installation thereby foregoing the necessity of reconfiguring the clients for a multiple server installation. Monson teaches at Col. 7, lines 62-67:

The filtering front-end 31 includes multiple filtering data communications devices 32 which transfer client requests (packets 36) between the transmission medium 28 and the multiple server computers 30 of the server host installation 29 such that exactly one server computer 30

(exactly one server) receives each client request. Accordingly, there is no possibility for multiple server computers 30 providing the same service in response to a single client request.

It is respectfully submitted that a technique for directing client requests to a single server in a multi-server installation does not anticipate the identification of respective edge servers in a network that are in close proximity with respective groups of addressees from among the plurality of addresses, as recited in Claim 1. The number of edge servers identified corresponds to the number of groups of addressees that are in close proximity. An advantage of identifying particular edge servers in a network to distribute electronic content to a plurality of addressees is that it significantly reduces bandwidth usage, as the electronic content is sent to a relatively small number of edge servers, from which a relatively large number of copies are sent to the relevant addressees. That is, the stage at which the copies are made is postponed until the edge servers have been reached.

It is not surprising that Monson does not disclose or suggest identifying respective edge servers in said network that are in close proximity with respective groups of addresses from among the plurality of addresses, because, Monson teaches client/server communication (a bi-directional communication between two entities) in contrast to the present invention which teaches a distribution method between a multiplicity of entities for distributing electronic content. The entities including a source provider providing electronic content to one or more edge servers who in turn communicate with respective groups of addressees. Monson teaches client/server communication at Col. 7 Ins.37-49, wherein it is stated :

It should be understood that, by way of example only, the client hosts 24 are configured to communicate with the server hosts 22 in a client/server manner. That is, the server hosts 22 (see FIG. 1) are configured to operate as conventional server installations, each server installation having a single server. Accordingly, each client host 24 is capable of sending a client request to a server host 22 through the transmission medium 28 in a conventional manner such that the client request includes the device identifier 34 of the server host 22 in the destination address field of the client request. Furthermore, in a conventional manner, each server host 22 is capable of providing a service back to the client host 24 in response to such a client request.

It therefore follows that Monson does not disclose or suggest the further steps of Claim 1 being:

ending one copy of the electronic content to the identified respective edge servers; and enabling the identified respective edge servers to send individual copies of the electronic content to individual ones of the addressees in the identified edge server's respective group of addresses.

It is respectfully submitted that at least the limitations and/or features of Claim 1 which are underlined above is not anticipated by the disclosure of Monson.

Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) with respect to Claim 1 and allowance thereof is respectfully requested.

Claims 2 and 4 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and is believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claims 2 and 4 is respectfully requested.

Independent Claim 5 as amended, recites similar subject matter as Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for

Claim 1, Claims 7 and 8 are believed to be allowable over Monson. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claim 5 is respectfully requested.

Claims 6 and 8 depend from independent Claim 5 and therefore contain the limitations of Claim 5 and is believed to be in condition for allowance for at least the same reasons given for Claim 5 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and allowance of Claims 6 and 8 is respectfully requested.

(7) In the Office Action, Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Monson in further view of U.S. Patent No. (5,754,778) to Shoujima et al. (hereinafter Shoujima).

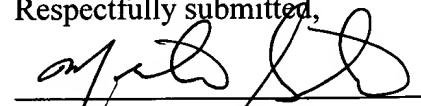
Claim 3 depends from Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claim 3 is believed to be allowable over Monson in view of Shoujima. Accordingly, applicant respectfully request withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 3 and allowance thereof is respectfully requested.

Claim 7 depends from Claim 5 and therefore contain the limitations of Claim 5. Hence, for at least the same reasons given for Claim 5, Claim 7 is believed to be allowable over Monson in view of Shoujima. Accordingly, applicant respectfully request withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 3 and allowance thereof is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-8 and 10-13 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Dicron Halajian, Esq., Intellectual Property Counsel, Philips Electronics North America Corp., at 914-333-9607.

Respectfully submitted,



Michael A. Scaturro

Reg. No. 51,356

Attorney for Applicant

Mailing Address:
Intellectual Property Counsel
Philips Electronics North America Corp.
580 White Plains Road
Tarrytown, New York 10591